



December 5, 1998

Theodore J. Kaczynski
04475-046
P.O. Box 8500
Florence, CO 81226-8500

Dear Ted,

Thank you for your letters of November 29 and 30 respectively, which arrived today.

I am very concerned about the safe and secure passage of correspondence between you and me. Several times now, I have received letters from you that appeared to have been molested en route. I was quite sure that someone had attempted to open these letters passively by treating them roughly. It would not surprise me if this were the case, as you are a public figure and many would be curious to see a letter written by you. If it were permitted by the prison officials, I would prefer that you refrain from including your name as part of the return address in future correspondence, since your inmate number should suffice. I cannot tell you whether or not it is appropriate to file another complaint with the ADX post office. I can tell you that *something* is going on *somewhere* down the line, and this is why I have requested the omission of your name on the envelopes of all future correspondence.

I am now suspicious about the whereabouts of a rather lengthy letter I sent to you November 23. I am enclosing it with this letter. You will find many of the issues brought up in your most recent correspondence addressed therein, as well as all of my responses to your comments on the contract.

Thank you for alerting me to the Greenberg problem. I must apologize to you for not telling you my suspicions regarding Gary from the get-go. I too was aware of Greenberg's ambitious, scoop-seeking mentality when I first talked to him on the phone. He was indeed aggressive. I also got the impression that he was not as careful as he should be regarding the confidentiality that needs to be observed in connection with both your book and the 2255. At the time, I alerted him to what I saw as a lack of confidentiality, he listened, and I left well enough alone. This was a mistake.

I was thinking in somewhat Machiavellian terms. My feeling was, and continues to be, that Greenberg can be very useful to the revision of the historical understanding of the "Unabomber" and the very important historical position he occupies. I felt that it would not be difficult to keep him on a short tether. But Greenberg neither sees the "A to Z" of the situation from the

publisher's vantage nor from the legal one. I believe this is due to inexperience, and not because of any willful wrongdoing in the interest of self-advancement. Greenberg is not particularly "smooth" or "fast," but Mello knows that I agree with him regarding Greenberg's "hunger," which explains the pushiness that has gotten him in trouble. Why can't people just proceed intelligently? Where I come from, Greenberg's behavior would be redressed by "tearing him a new asshole." I say this (and I hope you will forgive my coarse language) because Greenberg is not the enemy. He needs to be taught a lesson before continuing any conversation with him. Apparently, he needs to learn the hard way that there is a reason for confidentiality and his ambitions are nothing in the face of any breach of that confidentiality. He is essentially filled with the best of intentions, although his honesty is still to be determined.

Greenberg called me today. I told him that I would not discuss any further details regarding any of the books that I am publishing. He perforce understood my position. Having said this, I have never reported anything to him from our correspondence. The same goes for Mello. The disclosures regarding correspondence from you came from Mello and Greenberg respectively. I asked them to stop telling me things, as you will recall, when I felt that they were giving me information that might not be accurate prior to my hearing anything from you. I am careful about what I divulge, and to whom. I still think Greenberg may have a contribution to make, and I have asked him to send me a copy of the letter he sends in response to yours of November 28. I did this because, as I told him, there is no other way for me to determine whether or not he is being truthful. If he is not being truthful, I have no desire to continue with him at all. I am pretty sure that he will try to point a finger at Mello. This is an absurdity as we both know what sort of man Mike is. However, I would be willing to consider the possibility that Mello, who is not detail-oriented, may have misreported certain things. This would have to be proven beyond a shadow of doubt.

Mello and I discussed this situation after conversations with Greenberg today, and we both agree it is extremely problematic given the amount of information he possesses (i.e., the 2255, *Truth versus Lies*, and *The United States of America Vs Theodore John Kaczynski*, not to mention all of your correspondence). I am concerned that alienation may at this point prove more dangerous than keeping him (at arm's length) in the fold. You should know that I have read the relevant sections of this letter to Mello over the phone. (I read nothing about your comments on his manuscript. He did ask if you had said anything when he told me of your corrections. I told him that you had not, but that I would let you know that I was aware of the matter).

Regarding Mello's book, I am concerned that it might be taking your attention away from more pressing matters. I am perfectly capable of checking the citations you are currently referencing, were I to possess the material in question. The repetitions of which you speak are of course things that will be addressed during the line-editing phase. Mello told me that you wrote to him about "errors that need to be amended." I did not tell him that you had already alerted me to the matter. Instead, I have asked him to add the changes that you alert him to after I return the first edited manuscript, and to mark where any such changes have occurred. Regarding the errors that

cannot be corrected because of the legal implications, these will have to wait until they can be changed even if it holds up publication of the book.

Thank you very much for getting back to me about my comments on Chapters VII and X. I hope you will not be too disappointed with me, but it was in fact Greenberg who talked me into writing to you about those changes. He was persuasive. It was however my idea to leave the text as is and insert an apology. I do apologize for not alerting you to the fact that Greenberg brought up those passages as "psychologically troublesome." I feel duped, since I understood from the very beginning that you were inclusive for the sake of full disclosure, come what may, and now you may not think that this is the case. Please accept my apology. The apology that you have written is very good. I would also include the following paragraph from your letter, since it will give the reader a better picture of the context in which the interchange took place. The paragraph to which I refer is as follows:

For whatever it's worth, I recall that in [during] one of my [the] meetings with members of my defense team in the line-up room at the Sacramento County Jail, I mentioned an incident in my mid-twenties in [during] which my mother drove me to such a pitch of irritation that I called her a bitch. One of the investigators at the meeting remarked, "If that's the first time you ever called your mother a bitch, I'd say you were doing pretty well."

Would this constitute an acceptable addition to accompany the paragraph that precedes it?

As I mentioned earlier in this letter, I am very concerned about the whereabouts of my letter regarding the contract and your comments thereto. You will see that I have little fear of the copyright issue any longer, in light of the information David Korzenik has given me on that topic. I am also a little concerned that you have not shown the contract to legal counsel for review. This is of course necessary, and I assumed said review would be well underway by now. Please let me know when the process is initiated. I do apologize for the petulant tone, but time is of the essence.

The preparation of your manuscript has begun. This is not something that generally occurs prior to the signing of a mutually acceptable contract, but I feel confident that we will sign soon. This feeling that we will soon sign, coupled with the fact that our correspondence has been somewhat hobbled by the prison officials, made it seem like the appropriate thing to do. As this is the case, I would like to receive all of the photographs you would like to be included. Please let me know what I can do to procure pictures by proxy. I will be meeting with Mikael Ulveman tomorrow to discuss the use of his photographs.

You will see from the copies of a confidentiality agreement and cover letter that I have begun the process of placing first serial of *Truth versus Lies*. I deemed this necessary since magazines need between five and seven months lead-time to publish a first serial, which brings us close to May at this point. As I mentioned in earlier correspondence, it is very important that any excerpt of *Truth versus Lies* (in the form of first serial) appear in a reputable magazine. I have decided that

Vanity Fair is the appropriate place, since it has the largest circulation of the mainstream "intellectual" magazines. The process began with careful investigation of their probable reaction, then the confidentiality agreement was generated, then, on Friday December 4, the selected, censored (see enclosed letter) excerpts were delivered in person by me. I will call them on Monday to receive their acceptance or rejection of the excerpt.

Some notes on the confidentiality agreement: 1.) Korzenik has perpetrated misspellings here and there, for which he has received reprimand. 2.) Paragraph 4: the third person is S.I. Newhouse, or an agent designated by Newhouse, who is the owner of Advance Magazine Publishers. This is protocol in any agreement with this company. 3.) Paragraph 5: The terms of publication to be drawn up if they choose to run an excerpt will include no editing, no factual report about the contents or publication of the book without permission. 4.) Paragraph 7: Speaks to the release of information and the timing of publication, both of which will be decided by us.

Finally, I read Mr. Price's letter with great satisfaction. I agree with him (except with regard to my physical particulars) thoroughly, and especially second his sentiment when it comes to what he has to say about the possibility of a death penalty. I admire you as an eminently important historical figure, and I regard you as someone whom I would be honored to call a friend.

As ever, I hope this note finds you well.

My best,

Beau .

P.S. I have also enclosed a copy of a story idea, or "pitch," that Gary sent to me December 3. I think the story would be a good contribution. I am partly responsible for its genesis, since I told Gary what I have already mentioned to you regarding the need for an essay that begins the process of public understanding of *Industrial Society and Its Future* and its author. During this conversation, he told me of his intention to seek publication in *The New York Times Magazine*. He then described a "memoir" of a trip to visit you in Florence, Colorado, "a town of prisons." I called Gary immediately after I received the proposal to tell him that it was not appropriate to do anything with it before you had the chance to see it. I wanted him to get your permission. If you were satisfied I then was willing to provide him with the necessary confidentiality instruments so that he could begin a discussion with the editor, Adam Moss. If you compare this proposal to my letter to *Vanity Fair*, you will see how his inexperience becomes a problem. When discussing something as sensitive as the topic brought up therein, one must be over-scrupulous in the way they word the thing, so that a betrayal is impossible because there has been no exchange of useable information. The point is to avoid particulars (names, places, and dates especially). I was ready to get this thing in shape for Gary. I will of course beg off the task until further notice. I told Gary that I was going to send this to you in the interest of full disclosure. He says that I am the only one to have seen it thus far.

CONFIDENTIAL: TO BE READ BY N. ZEMAN & G. CARTER ONLY

December 4, 1998

Ned Zeman
Vanity Fair
350 Madison Avenue
Fourth Floor
New York, NY 10017

*In publishing, this signifies "to come" and
is the convention.*

Dear Ned:

As promised, I am enclosing two excerpts from TK, the book we discussed, which Context will publish Spring 1999 as a lead title.

There is a very concrete rationale behind the writing of this book, which will in time become newsworthy. In the main, the first serial seems to be very well-placed in VF.

I have supplied the first four chapters of the manuscript as well as Chapters V-VI. The latter is perhaps to be preferred since it discusses the author's time at Harvard, and offers many anecdotes that are of great interest both by dint of nostalgia and for the manner in which the author uses these anecdotes to refute inaccuracies reported by the press during his trial.

The first chapters are provided to give you a sense of the author's intent. The book is wholly concerned with redressing the myths and untruths that were generated by his defense team, who worked closely with the author's family, to portray the author as a schizophrenic so that a mental defect case could be pursued (and a death penalty averted). The public defenders are famous opponents of capital punishment. The representation of the author as a madman was created with an eye on the penalty phase of his trial, since a guilty verdict was presumably inevitable.

The author offers anecdotes and facts that illustrate the manner in which his life story has been warped or invented. The crimes are in no way discussed, nor the motivations, nor the philosophy that informed them. This is a book about the author's history, which is told in an effort to demonstrate the wildly inaccurate manner in which his story was reported. He demonstrates the motivation for the maligning of character put forth by acquaintances and family (the predisposition for lies among family members is handled deftly) to account for the (often sordid) betrayal suffered at the hands of his family, attorneys, and acquaintances during his trial. Nothing in the book is claimed without extensive documentation, which, for the most part, adds a further layer of chiaroscuro to the author's portrait.

Names and places have been obscured to avoid the eventuality of publishable excerpts finding their way to the press. In the event that VF requests first serial on the basis of this material, or based on material supplied subsequent to this submission, a complete fair copy will be provided to VF of the excerpt to be used as first serial. As a reminder, I should mention that any copy made of the enclosed material will be considered a breach of the confidentiality agreement (paragraph 1) and that this copy, along with the cover letter, is to be kept in a secure place.

In the event that you are interested in pursuing this further, I would like to offer the services of a writer who has recently completed a foreword to another Spring 1999 title, which focuses in particular on the trial. He would write an excellent thumbnail of the book to accompany the excerpt.

I look very much forward to hearing from you.

My best,

Beau Friedlander

FAX COVER SHEET

Thursday, December 03, 1998 10:13:02

To: BEAU FRIEDLANDER
At: CONTEXT MEDIA
Fax #: 101081112129641810

Fax: 2 pages and a cover page.

Note:

BEAU -- HERE'S AN IDEA FOR A
PITCH. WHADDYA THINK?

Not With a Bang: The Return of the Unabomber

When Theodore Kaczynski's January 1997 trial ended before it began, many observers thought that the impossible had been achieved. A case that threatened to become the next installment in a miniseries that had begun with O.J. Simpson's trial, and which had added to its cast a powerfully intelligent and uncooperative defendant, came to an orderly and quiet close. All sides could claim victory. The Court had retained its dignity. The defense had saved Kaczynski's life. The victims and the prosecution could claim that the man who had sought solitude and wilderness would spend the rest of his life in a cage under constant surveillance and never fashion another bomb. "Closure," that curious goal of our national dramas, had been achieved. The system worked, and quickly: America could move on.

But the last word of the sentencing hearing in May may not be the last word spoken in court about the Unabomber. Although Kaczynski pleaded guilty unconditionally, he is going to try to reopen his case. In early spring, he intends to file a motion to modify or vacate his guilty plea and sentence. As part of this proceeding, he will ask that the judge in the case – U.S. District Court Judge Garland Burrell – be removed from the case and that he be appointed new attorneys.

According to some legal experts, Kaczynski stands a good chance of succeeding. Theoretically, he could be freed from prison and granted a new trial. The more likely result is a new sentencing trial, at which Kaczynski may well be sentenced to death, an outcome that he says he wants.

These possibilities arise because, according to Kaczynski and his legal experts, his guilty plea was coerced. Deceived and strong-armed by his attorneys and betrayed by his investigators and psychiatric experts, Kaczynski was presented with a Hobson's choice: a trial at which his attorneys would argue that he was mentally ill or a plea agreement purchased with his silence and yielding a life in captivity. Since his diagnosis as a paranoid schizophrenic was, in his view, based on lies and rendered by a mental health industry of which he had long been deeply critical, Kaczynski chose the latter course as the less unjust. But, as his motion to re-open the trial indicates, he is not content to let the matter rest. Indeed, the fight that may result in his death is also, as he sees it, a fight for his life.

Two battles will be waged in the courtroom, each raising a thorny question. The first is a Constitutional one: does the sixth amendment's guarantee of representation mean that a lawyer can impose a defense on a client against the client's will? The second is a psychiatric and philosophical one: what is the relationship of dissent to insanity, of protest to pathology? Kaczynski has an obvious stake in both: he wants a defense based on the issues raised by his alleged crimes, and he wants to reclaim his public image from a popular culture that once embraced him as an outlaw folk hero, then turned him into a staple of late-night talk show monologues.

These are the opening paragraphs of a 7000-word article I propose to write for publication around the time Kaczynski goes to court in late April or early May. The article will be an exploration of these two questions. In it, I will show how Kaczynski's image was constructed in such a way as to make the disposition of his case inevitable, and argue that this outcome represents a serious stifling of important dissent. I will trace the Unabomber's trajectory from mysterious anarchist to madman bomber, and describe

the cultural imperatives that direct this course. Without defending his actions, I will place Kaczynski in a tradition of radical antimodern protest that appears to be crazy not because of any inherent pathology but because psychiatry is an artifact of that which he protests. And I will show that what is disturbing about the Unabomber is not that he is crazy but that he is, in many respects, rational. As *Time* put it, "There is a little of the Unabomber in all of us"; the recognition that something is badly amiss in our immersion in technology is widespread if not universal, as is a sense of powerlessness to remedy the resulting unease. Kaczynski's diagnosis, his being effectively silenced by mental health experts, can be read as this culture's characteristic response to a messenger bearing bad news we already know.

My sources for this article will include Kaczynski himself, whom I will be interviewing in January (the first interview he has granted), his newly assembled legal team (whom I will accompany on my visit to Kaczynski), a law professor and his students who assisted Kaczynski in the early stages of his appeal, and other people involved with Kaczynski. In addition, I will use the extensive written record, including my long and intense correspondence with Kaczynski, the psychiatric reports, and court transcripts. And I will endeavor to interview the lawyers, investigators and mental health experts who played a role in the trial, to give them a chance to tell their side of the story.

I am a psychologist by profession, and have written many times on the subject of the relationship between psychiatry and culture. I contributed a foreword, "Theodore John Kaczynski Vs. The Shrinks" to Michael Mello's forthcoming book, *Theodore John Kaczynski Vs. The United States of America* (Context Media). In it, I argue that Kaczynski's psychiatric evaluations offer a political, rather than a medical, diagnosis and have the effect of silencing a savage critic of technological society. This concern will also frame the proposed article. I will explore the ironic possibility that Kaczynski may yet have the last word.